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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/820,984

04/08/2004

Michael Baeten

9031

7590

03/25/2005

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EXAMINER

NGUYEN, ANTHONY H

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/820,984

Applicant(s)

BAETEN, MICHAEL

Examiner

Anthony H. Nguyen

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-13 and 16 is/are rejected.
- 7) ☒ Claim(s) 8, 14 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>05/28/2004</u> | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 U.S.C. § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Marcheggiani (US 5,944,956).

With respect to claims 1, 6 and 7, Marcheggiani teaches an apparatus for cleaning the surface 30 of a rotating cylinder 20 having a nozzle 54 which includes a orifice 56 which directs pressured fluid at an acute angle toward the cylinder surface and a cleaning head 66 having a suction port 74 downstream of the nozzle in the direction of rotation of the cylinder as shown in Figs.1 and 2 of Marcheggiani. With respect to claim 2, Marcheggiani teaches the nozzle 54 which is mounted on the cleaning head 66 as shown in Fig.1. With respect to claims 3-5, Fig.2 of Marcheggiani shows the angle 60 of the nozzle 54 and the tangential line 62 which is in the range 0 - 180° (Marcheggiani, col.3 lines 51-54).

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-13 and 16 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Marcheggiani (US 5,944,956).

Marcheggiani teaches all that is claimed, except the nozzle which includes a fluid cap and an air cap mounted on the fluid cap. However, the use of a nozzle having an air cap mounted on a fluid cap so as to provide a mixture of air and liquid is conventional. It would have been obvious to one of ordinary skill in the art to modify the nozzle of Marcheggiani by providing the conventional use of nozzle having air cap mounted on a fluid cap to improve the efficiency of spraying a mixture of liquid on the surface of a cylinder for cleaning. With respect to claim 11-13, the selection of a desired internal diameter of the air cap or the orifice, and the selection of the water flow rate which is varied with the speed of rotation of the would be obvious through routine experimentation in order to get best possible cleaning effects.

Allowable Subject Matter

As presently advised it appears that claims 8, 14 and 15 avoid the prior art but are objected to as depending from a rejected claim. These claims if properly rewritten in independent form would be allowable.

The following is a statement of reasons for the indication of allowable subject matter:
The primary reason for allowance of claim 8 is that the prior art of record does not teach the cleaning head which includes a curve surface, the suction port located in the curved surface and the nozzle mounted on the cleaning head and being spaced from the curved surface.

The primary reason for allowance of claims 14 and 15 is that the prior art of record does not teach the cylindrical insert which extends through the fluid cap and provides the central fluid passage.

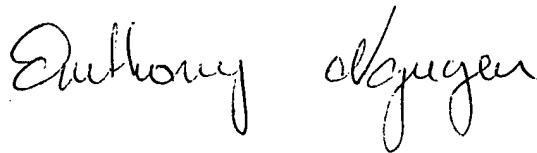
Conclusion

The patents to Schoeps, Boatman et al., Ben-Zion et al. and Hebert are cited to show other structures having obvious similarities to the claimed structure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169. The examiner can normally be reached daily from 9 AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (571) 272-2168.

The fax phone number for this Group is (703) 872-9306.

A handwritten signature in cursive script that reads "Anthony Nguyen".

Anthony Nguyen
March 14, 2004
Patent Examiner
Technology Center 2800